

CORVALLIS URBAN FRINGE MANAGEMENT AGREEMENT

1. The City of Corvallis, Oregon and Benton County, Oregon hereby establish a joint management procedure pursuant to ORS 197.190 for the implementation of the Corvallis Urban Growth Boundary and plan for the Corvallis Urban Fringe; both of which form an integral part of the Corvallis Comprehensive Plan. The area situated inside the Corvallis Urban Growth Boundary and outside the Corvallis City limits shall be referred to as the Urban Fringe.
2. The City and County further agree to utilize the provisions of this agreement, the Corvallis Comprehensive Plan, as amended, the Benton County Comprehensive Plan, as amended, as the basis for review and action on Comprehensive Plan amendments, development proposals and implementing regulations which pertain to the Urban Fringe.
3. The City and County recognize that Oregon statutes and Statewide Planning Goals require a generalized, coordinated Comprehensive Plan map and policy statement for the Urban Fringe. The City and County agree to the following process for amendment of the Corvallis Comprehensive Plan text, map and Urban Growth Boundary as they pertain to the Urban Fringe.

A plan may only be amended semi-annually or after a determination by both City and County that there exists a significant community need to consider an amendment. If the determinations of the City and County differ, then the application for amendment will be considered at the next semi-annual review. The County will accept all applications for amendments and refer such applications to the City to allow for concurrent review.

The City and County staffs will jointly set the public hearing schedule for the amendment application(s). A joint public hearing will be held before the Corvallis and Benton County Planning Commissions. Following the close of the public hearing, the Planning Commissions shall deliberate either jointly or separately and forward a separate recommendation to their respective governing body.

If the Comprehensive Plan amendment is legislative in nature, the Benton Government Committee shall meet to discuss outstanding issues and recommend resolution of the matter to the City Council and County Commissioners.

A joint public hearing will be held before the Corvallis City Council and the Benton County Board of Commissioners. Within 30 days following the close of the public hearing each governing body shall reach a preliminary decision. Notice of the preliminary decision shall be forwarded to the other governing body. If the positions of the two jurisdictions are

identical, then the preliminary decision shall become final by passage of an ordinance by each governing body. If the positions of the two jurisdictions differ, either party may accept the decision of the other. If either party does not accept the decision, a joint meeting of the City Council and the Board of Commissioners will be held within 30 days of the last preliminary decision to resolve the differences prior to final action by either jurisdiction.

The procedures in this Section (No. 3) shall not apply to amendments of the Plan text, map, or Urban Growth Boundary that may be required by the Land Conservation and Development Commission.

4. The Benton county Board of Commissioners shall not initiate the creation of any special districts pertaining to the Urban Fringe for the provision of utilities, transportation, recreation, or other public facilities or services unless such districts:
 - a. Are approved by both parties; and
 - b. Recognize the City as the ultimate provider of urban services; and
 - c. Require improvements to full City standards; and
 - d. Lie within 1,000 feet of the City limits.

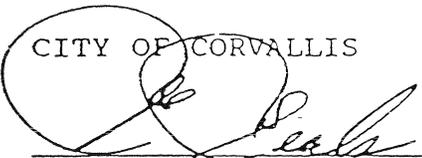
5. The Benton County Board of Commissioners shall not approve the creation of any special districts pertaining to the Urban Fringe for the provision of utilities, transportation, recreation, or other public facilities or services unless such districts:
 - a. Recognize the City as the ultimate provider of urban services; and
 - b. Require improvements to full City standards.

6. The City and County further agree to the following process for review and action on development proposals and implementing programs which pertain to the Urban Fringe:
 - a. The City shall make recommendations on development proposals, and implementing programs and projects which pertain to the Urban Fringe, for which the County has authority, including the following:
 - 1) Amendments to the zoning ordinance text and map;
 - 2) Planned unit developments;
 - 3) Conditional use permits;
 - 4) Land division;
 - 5) Public facility master plans;
 - 6) Public improvement projects;
 - 7) Utility extensions;
 - 8) Recommendations for the designation of health hazard areas;
 - 9) Capital Improvement Program;

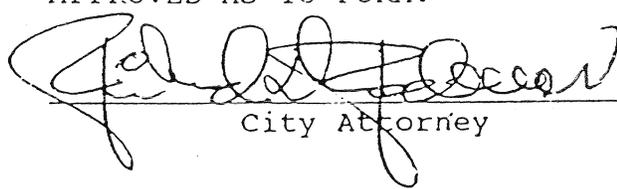
- 10) Special district formation.
 - b. The County shall make recommendations on development proposals and implementing programs which pertain to the Urban Fringe, for which the City has authority, including the following:
 - 1) Public facility master plans;
 - 2) Requests for annexation;
 - 3) Capital Improvement Program.
 - c. The jurisdiction which has the authority for making a decision on one of the items in either 6a or 6b shall formally request the other jurisdiction to review the proposal and recommend action. This request for review and recommendation shall allow the reviewing jurisdiction a minimum of twenty-one (21) days to respond. If no response is received or no extension is requested, it will be assumed that the reviewing jurisdiction has no comment.
 - d. Nothing contained within this section is intended to alter the legal decision-making authority of either the City or the County.
7. The City shall be responsible for the preparation of a Public Facilities Plan for the Urban Growth Boundary as required by OAR 660-11-000 and ORS 197.712 (2)(e). The City shall consult with the County and consider incorporating into the Public Facilities Plan County recommendations and proposals for design standards, extensions, and improvements to County roads within the Urban Growth Boundary.
 8. Annexation applications to the City which are for areas outside the Urban Growth Boundary shall not be considered. Procedures for amending the Urban Growth Boundary prior to accepting such annexation applications are outlined in Section 3.
 9. The City and County shall establish a planning area which shall extend beyond the Urban Growth Boundary wherein the County will give the City the opportunity to review and make recommendations on County plans, ordinances, and development proposals prior to action by the County.
 10. The City and County agree to establish a significant service area boundary within two (2) years of the adoption date of this agreement.
 11. The City and County agree to conduct reviews of the allocation of industrial land within the Corvallis Urban Fringe. The reviews shall be conducted by the Benton County Planning Commission and by the Corvallis Planning Commission. The reviews shall result in reports for submission to the respective governing bodies within one (1) year.

12. This agreement may be amended at any time by mutual consent of both parties after referral to the City and County Planning Commissions for recommendation.
13. This agreement may be terminated by either party provided that the following procedure is used:
 - a. A public hearing shall be called by the party considering termination. That party shall give the other party notice of hearing at least 40 days prior to the scheduled hearing date. This 40-day period shall be used by both parties to seek resolution of any differences.
 - b. Public notice of the hearing shall be in accordance with applicable state and local statutes and goals.
 - c. An established date for termination of the agreement shall be at least 180 days after public hearing in order to provide ample time for resolution of differences, reconsideration of the decision and the adoption of a replacement Urban Fringe Management Agreement which complies with statewide goals, statutes, and administrative rules.
14. This agreement amends the agreements between the City of Corvallis and Benton County signed June 3, 1981 and October 18, 1982.

Dated this 20th day of December, 1990.

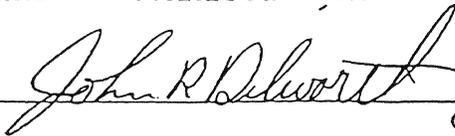
CITY OF CORVALLIS


 GERALD SEALS, CITY MANAGER

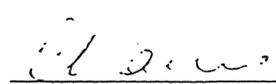
APPROVED AS TO FORM:


 City Attorney

Date: 12-20-90

BENTON COUNTY
 BOARD OF COMMISSIONERS


 CHAIR

APPROVED AS TO FORM:


 County Counsel

Date: 12-19-90